


AFFIDAVIT Agency ORI Number FL05300000	Sheriff's Polk County		Office Bartow, FL	FORM #9013 - Revised 01/08/03 INCIDENT NUMBER 2012-055194
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JUVENILE	<input checked="" type="checkbox"/> ADULT	BOOKING #	OBTS #
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IN CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY,
 SUBMITTING MEMBER DETECTIVE STEPHEN TIDWELL MEMBER # 6071

DATE/TIME OF ARREST/INCIDENT 07/04/2012 1830 EVIDENCE COLLECTED YES ☒ NO ☐

LOCATION OF INCIDENT _____

CROSS STREET _____

COMPLAINT AFFIDAVIT _____ ARREST REPORT ☒

CITY OF POLK COUNTY OF POLK, STATE OF FLORIDA.

THE UNDERSIGNED AFFIANT SWEARS SHE/HIS HAS JUST AND REASONABLE GROUNDS TO BELIEVE THAT ON 07/03/2012 AT
 APPROXIMATELY 02:00 PM IN THE VICINITY OF _____, POLK COUNTY, FLORIDA.

SINNETT DAVID LEE ALIAS _____
 LAST FIRST MIDDLE
 ADDRESS 2765 HOLLY LN BARTOW FL 33830 PHONE UNKNOWN

RACE WHITE SEX MALE DOB 05/13/1980 HT 5-07 WT 180 EYE BLUE HAIR BROWN
 COMPLEXION FAIR/LIGHT BUILD MEDIUM SPEECH NORMAL POB FLORIDA

SCARS/MARKS/TATTOOS TAT: ARMS, CHEST MARITAL STATUS SINGLE

DL# S530172801730 ST FL SSA _____ OCCUPATION NDNE

EMPLOYER/SCHOOL NONE PHONE UNKNOWN

JUV-PARENTS _____ PHONE _____

PROBABLE CAUSE TO FOLLOW VICTIM/WITNESS INFORMATION

COMMITTED THE OFFENSE(S) OF:
 1) AGGRAVATED CHILD ABUSE FSS 827.03(2) LEVEL/DEGREE P/I

VICTIM:	NAME	ADDRESS	PHONE
VICTIM:	NAME	ADDRESS	PHONE
VICTIM:	NAME	ADDRESS	PHONE
VICTIM:	NAME	ADDRESS	PHONE

**IN CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA**

PROBABLE CAUSE:
 VICTIM:
 W/M, (2) YOA

SUBJECT:
DAVID SINNETT
 W/M, 05/13/1980, (32) YOA

ON 07/04/2012 AT APPROXIMATELY 0109 HOURS I RESPONDED TO WINTER HAVEN HOSPITAL IN REFERENCE
 TO A TWO YEAR OLD MALE BEING TREATED FOR A PERIORBITAL HEMATOMA (BLACK EYE).

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UPON ARRIVAL I OBSERVED THE TWO YEAR OLD VICTIM, WITH SEVERE BRUISING AROUND HIS RIGHT EYE AND CHEEK AREA, COUPLED WITH MULTIPLE BRUISES ON THE LEFT SIDE OF HIS FACE. FURTHER INVESTIGATION REVEALED THE VICTIM ALSO HAD TWO LARGE HORSE SHOE SHAPED BRUISES ON HIS RIGHT REAR SHOULDER AND ONE ON THE MIDDLE OF HIS BACK. IN ADDITION TO THE BRUISES ON THE VICTIM'S BACK HE ALSO HAD MULTIPLE BRUISES ON HIS BUTTOCKS. THE INJURIES TO THE VICTIM'S BACK APPEARED TO BE THE RESULT OF BEING STRUCK WITH A CLOTHES HANGER.

THE ATTENDING PHYSICIAN IN THE EMERGENCY ROOM, DR. BLIND, ADVISED THE VICTIM SUFFERED A FRACTURED ORBITAL BONE BETWEEN HIS RIGHT EYE AND HIS NOSE. DR. BLIND ADVISED THE INJURY WAS CAUSED BY "BLUNT FORCE TRAUMA" TO THE EYE. DR. BLIND AGREED THE BRUISES ON THE VICTIM'S BACK MOST LIKELY CAME FROM A CLOTHES HANGER. THE INJURY TO THE VICTIM'S EYE ALONG WITH THE BRUISES ON THE VICTIM'S BACK ALL APPEARED TO HAVE OCCURRED EARLIER TODAY ACCORDING TO DR. BLIND. DR. BLIND ADVISED THE INJURY COULD RESULT IN THE VICTIM HAVING PERMANENT EYE DAMAGE AND WORST CASE SCENARIO THE VICTIM COULD LOSE HIS SIGHT.

DUE TO THE VICTIM NOT BEING RELEASED FROM THE HOSPITAL UNTIL APPROXIMATELY 0500 HOURS I SCHEDULED A FORENSIC INTERVIEW ON 07/04/2012 AT 1300 HOURS.

THE FORENSIC INTERVIEW CONDUCTED AT THE CHILD ADVOCACY CENTER WITH REVEALED THE SUSPECT BEING ANGRY AT THE VICTIM AND TURNING HIM UPSIDE DOWN AND SHAKING HIM. DISCLOSED SHE IS AFRAID OF THE SUBJECT AND STATED HE "ALWAYS MESSES" WITH THE VICTIM.

ON 07/04/2012 AT APPROXIMATELY 1544 HOURS I CONDUCTED AN INTERVIEW WITH WHO STATED DURING A SWORN RECORDED INTERVIEW THAT ON 07/03/2012 AT APPROXIMATELY 1630 HOURS SHE SAW A PICTURE DREW DEPICTING THE SUBJECT CHOKING AS WELL AS THE SUBJECT HITTING THE VICTIM. ADVISED SHE WAS TOLD BY THAT THE SUBJECT GAVE THE VICTIM A BLACK EYE. DID NOT GO TO THE VICTIM'S RESIDENCE BUT INSTEAD DROVE TO THE SUBJECT'S MOTHER, ALICE BIRCHLER'S, HOME. BIRCHLER THEN REMOVED THE CHILDREN FROM AND THE SUBJECT'S CARE AND TRANSPORTED THEM TO HER RESIDENCE, WHERE DCF WAS ABLE TO MAKE CONTACT WITH THE CHILDREN.

ON 07/04/2012 AT APPROXIMATELY 1713 HOURS DET. STRICKLAND AND I MADE CONTACT WITH THE VICTIM'S MOTHER, DURING THIS NON-CUSTODIAL INTERVIEW ADVISED THE SUBJECT BECAME UPSET WHEN THE VICTIM, WHO HAS A SPEECH IMPEDIMENT, COULD NOT PRONOUNS HIS SISTER 'S NAME. THE SUBJECT USED A CLOTHES HANGER AND STRUCK THE VICTIM'S BARE BUTTOCKS WITH THE HANGER. DID NOT SEE THE SUBJECT HIT THE VICTIM IN ANY OTHER PART OF HIS BODY WITH THE HANGER. ADVISED THE SUBJECT WAS NOT YELLING AT THE VICTIM BUT APPEARED TO BE VERY ANGRY BY HIS FACIAL EXPRESSIONS. WALKED OUT OF THE ROOM AND DID NOT SEE HOW THE VICTIM RECEIVED THE INJURIES TO HIS FACE.

ON 07/04/2012 AT APPROXIMATELY 1800 HOURS I CONDUCTED A NON-CUSTODIAL INTERVIEW WITH THE SUBJECT, DAVID SINNETT. THE SUBJECT AGREED TO TALK TO ME ABOUT THE INJURIES TO THE VICTIM. THE SUBJECT WAS ADVISED HE WAS NOT UNDER ARREST AND COULD LEAVE AT ANY TIME. THE SUBJECT ADVISED HE DOES GET UPSET WITH THE VICTIM WHEN HE DOES NOT PRONOUNCE WORDS CORRECTLY BECAUSE

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HE FEELS THE VICTIM DOES NOT TRY. THE SUBJECT STATED HE DID HIT THE VICTIM WITH A CLOTHES HANGER ON HIS BACK TWICE, BUT DENIED CAUSING THE INJURIES TO HIS BUTTOCKS OR THE FACIAL INJURIES. THE SUBJECT STATED HE HIT THE VICTIM BECAUSE HE WAS TOO CLOSE TO AN ELECTRICAL WALL OUTLET. THE SUBJECT STATED THE VICTIM RECEIVED THE FACIAL BRUISES WHEN HE FELL OFF OF A SKATEBOARD SEVERAL DAYS AGO. THE SUBJECT STATED HE BEGAN TO RUB VASELINE ON THE VICTIM'S FACIAL INJURIES "LIKE THEY DO WITH BOXERS" AND REOPENED A WOUND CAUSING IT TO BLEED. THE SUBJECT ADDED HE PROBABLY WAS RUBBING TOO HARD.

THE SUBJECT STATED HE IS CURRENTLY ON FEDERAL PROBATION FOR AN AGGRAVATED ASSAULT. THE SUBJECT'S INFORMATION WAS GIVEN TO FCIC/NCIC, BUT THERE WAS NO INFORMATION REGARDING HIS PROBATION STATUS LISTED OTHER THAN HE IS UNDER FEDERAL SUPERVISION. THE SUBJECT STATED HIS PROBATION OFFICER'S IS IN LAKELAND, FL AND THE OFFICER'S NAME IS "MR. DORSEY". I TRIED TO CONTACT PROBATION OFFICER DORSEY BY PHONE WITH THE NUMBER PROVIDED BY THE SUBJECT BY IT WAS NOT A WORKING NUMBER.

AT THE CONCLUSION OF MY INVESTIGATION I HAVE DISCOVERED FROM

DISCLOSING DURING A FORENSIC INTERVIEW THE SUBJECT WAS SHAKING THE VICTIM THE SAME DAY THE VICTIM ACQUIRED HIS INJURIES. SWORN RECORDED STATEMENT REVEALED

WITNESSED THE VICTIM BEING HIT BY THE SUBJECT, CAUSING AN INJURY TO THE VICTIM'S EYE. THE VICTIM'S MOTHER, STATED SHE WATCHED THE VICTIM BEING STRUCK WITH A CLOTHES HANGER BY THE SUBJECT. THE SUBJECT ADMITTED TO STRIKING THE VICTIM MULTIPLE TIMES ACROSS HIS BACK. BASED ON THE INFORMATION OBTAINED, ALONG WITH SEVERE BRUISING AND FRACTURED ORBITAL BONE THERE IS SUFFICIENT EVIDENCE TO ESTABLISH PROBABLE CAUSE TO BELIEVE THE SUBJECT, DAVID SINNETT, VIOLATED FLORIDA STATE STATUTE 827.03 AGGRAVATED CHILD ABUSE. AGGRAVATED CHILD ABUSE IS DEFINED AS A PERSON WHO KNOWINGLY OR WILLFULLY ABUSES A CHILD AND IN SO DOING CAUSES GREAT BODILY HARM, PERMANENT DISABILITY, OR PERMANENT DISFIGUREMENT TO THE CHILD.

THE SUBJECT WAS TAKEN INTO CUSTODY AND TRANSPORTED TO THE POLK COUNTY JAIL WITHOUT INCIDENT.

SWORN TO AND SUBSCRIBED BEFORE ME, THE UNDERSIGNED AUTHORITY, THIS _____ DAY OF _____ 20____

DEPUTY CLERK/NOTARY
PUBLIC/LED

AFFIANT

PERSONALLY KNOWN

PRODUCED ID

ID TYPE

NO BILL/PETITION

PROSECUTION

ASSISTANT STATE ATTORNEY